

Today, we all commemorate the 75th anniversary of the creation of the modern American Foreign Service, and we are stronger and better for it.

The PRESIDING OFFICER. The time between 12:30 and 1 p.m. shall be controlled by the Senator from New Hampshire.

The distinguished Senator from New Hampshire is recognized.

(The remarks of Mr. SMITH of New Hampshire pertaining to the submission of S. Res. 107 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER (Mr. KYL). The time of the Senator has expired. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I ask unanimous consent that Senator JOHNSON be added as a cosponsor to S. 1022, the Veterans Emergency Health Care Act of 1999.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. DORGAN. Mr. President, I ask unanimous consent that Josh Alkin, a member of my staff, be given the privilege of the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL SON OF SAM LEGISLATION

Mr. DORGAN. Mr. President, last week we debated the Juvenile Justice Act. We had a good number of provisions, especially dealing with guns, gun shows, and gun sales that were very controversial. I did not speak last week on an amendment I offered to the juvenile justice bill that became a part of that and is now a provision that has been passed by the Senate. I want to take a few minutes today to describe the amendment I offered and its importance.

Some while ago, I was watching a television program. It was about a serial killer, a man who killed four women and one man in Gainesville, FL. The program described the book this serial killer has written: "The Making of a Serial Killer: The Real Story of the Gainesville Murders in the Killer's Own Words."

I thought: That cannot be the case. If you murder four or five people and are sent to prison, you lose your right to vote and you lose certain rights. Do you have a right to write a book and profit from it? This television program described the dilemma.

There was a murderer in New York who was described as the "Son of Sam" murderer many years ago. He was sent to prison and wrote a book in order to profit from his murder. In other words, a violent murderer goes to prison and spends his time writing a book to sell to the public to make money. Is that a right prisoners have in this country after committing a violent crime? Is

there a constitutional right to profit from a violent crime in America? I do not think so.

The State of New York passed a statute, the "Son of Sam" statute, and the Federal Government passed a statute saying that the proceeds from a book written by a violent offender who is sent to prison cannot be retained by the violent criminal.

That was appealed and went to the U.S. Supreme Court. Guess what. The U.S. Supreme Court said: No, you may not prohibit the expressive writings of a violent criminal, because that is a violation of the first amendment. I am truncating the Supreme Court decision, but essentially the Supreme Court invalidated the "Son of Sam" laws. The Federal law has never been enforced, to my knowledge, and the State laws have been invalidated.

So we had a circumstance where, on the program I watched, this serial killer was interviewed. The woman with whom he apparently is romantically involved, who is one of the sponsors of this book, was interviewed. It raised the question in my mind: Shouldn't we correct this issue and these statutes so the next time this goes to the Supreme Court, the Supreme Court will not overturn the law?

I wrote a piece of legislation, after consultation with some constitutional lawyers, that I think does solve this issue and will say to any prospective author, some disgusting human being who murders four young girls and a man in Gainesville, FL, who now says, I want to write a book to describe the detail, the horrible detail of these murders: You can write until you are dead, but you will never ever profit, you will never profit by writing the accounts of your murders and then sell a book and keep the money. Not just you, but your agent, those to whom you assign the profits—you will not be able to reap the rewards of telling the gruesome, dirty tales of your sordid criminal lives.

The juvenile justice bill which passed last Thursday has an amendment in it that closes the loophole and rewrites the Federal law. It says that any individual convicted of any Federal or State felony or violent misdemeanor, if that convicted defendant tries to sell his book, movie rights, or other expressive work or any property associated with the crime—a bloody glove, murder weapon, photos and so on—whose value has been enhanced by that crime, then the U.S. attorney will make a motion to forfeit all proceeds that would have been received by the defendant or the defendant's transferee—spouse, partner, friends, and so on.

Is this important? I think it is. I think we ought to have a Federal statute, and if the Supreme Court said the "Son of Sam" statute is not valid, we ought to have a Federal statute that says to anybody in this country: If you commit a violent crime and you go to prison, do not expect to sit in prison and write and profit by publishing a book about your crime.

I offered that in the Senate last Thursday, and I was joined by my colleague, Senator EVAN BAYH. It has now passed the Senate, and my hope is my colleagues in the House will see fit to keep this in the Juvenile Justice Act, and it will go to the President and be signed into law.

(The remarks of Mr. DORGAN pertaining to the submission of S. Res. 105 are located in today's RECORD under "Submissions of Concurrent and Senate Resolutions.")

COMPREHENSIVE NUCLEAR TEST BAN TREATY

Mr. DORGAN. Mr. President, I want to make a point about something which I think is critically important to the Senate and to this country and its future. It is something we are spending no time on and pay no attention to. It is the issue of the Comprehensive Nuclear Test Ban Treaty.

In the past two State of the Union Addresses, the President has asked Congress to report out and approve the nuclear test ban treaty.

Going back to a time when President Eisenhower talked about this issue, I think most Americans understand the value of and the interest in a test ban treaty.

Since 1945, six nations have conducted 2,046 nuclear test explosions. That is an average of one test every 9 days. There are a few countries that have the capability of producing a nuclear weapon and testing a nuclear weapon. There are many countries that want that capability. Stopping the spread of nuclear weapons, stopping the spread of missile technology, the means by which nuclear warheads can be delivered, is critically important.

It seems to me one of the underpinnings of those efforts must be the passage of the Comprehensive Nuclear Test Ban Treaty. The United States has been under a moratorium of nuclear tests. We have not been testing since that moratorium began in 1992. We do not test nuclear weapons. We have been a leader. In this area, ratifying the Comprehensive Test Ban Treaty is not only important public policy for our country and the world, it is important in the context of our leadership in these areas.

The difficulties we now have in the Balkans and the ruptures that have occurred with our relationship with the Russians, it seems to me, ought to emphasize to us how important it is to turn back to these issues of arms control.

We know that the Iranians are testing medium-range missiles. We know that the North Koreans are testing medium-range missiles. We know that India and Pakistan exploded nuclear weapons under each other's nose, and they do not like each other.

Ought that be of some concern to us? Of course it should. Yet, the Nuclear Test Ban Treaty—the CTBT it is called—the Comprehensive Nuclear